## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	ITED STATES OF AMERICA,	)
	Plaintiff,	) Case Number 8:13CR365
	vs.	) DETENTION ORDER )
ST	EVEN PAYMENT,	) )
	Defendant.	<b>'</b>
A.		ursuant to 18 U.S.C. § 3142(f) of the Bail e-named defendant detained pursuant to 18
B.	conditions will reasonably assure required.  X By clear and convincing evidence	
C.	that which was contained in the Pretrial  X (1) Nature and circumstances of the crime: (Count I) of the crime: (Count I) of the crime: (Count I) of the crime: (Count II) of the crime: (Count III) of the crime: (Count III) Distribution: (Actual) is a serious of the crime of the	Conspiracy to Distribute 50 Grams or More (Actual), and (Count VI) Carrying a Firearm Trafficking Crime are serious crimes and halty of Life imprisonment per count, and no of 5 Grams or More of Methamphetamine crime and carries a maximum possible imprisonment, and (Counts IV and V) count of Methamphetamine are serious crimes in penalty of 20 years imprisonment per count e of violence.
	· , ,	against the defendant is high. ics of the defendant including:

(a) General Factors:

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	X	The defendant appears to have a mental condition which may affect whether the defendant will appear.  The defendant has no family ties in the area.  The defendant has no steady employment.  The defendant has no substantial financial resources.  The defendant is not a long time resident of the community.  The defendant does not have any significant community ties.  Past conduct of the defendant:
		The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at court proceedings. me of the current arrest, the defendant was on:
		Probation Parole Supervised Release Release pending trial, sentence, appeal or completion of sentence.
	(c) Other F —— —— ——	actors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
	release are as	d seriousness of the danger posed by the defendant's follows: ction order in lowa.
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 	relied on the fo § 3142(e) whic _ (a) That no assure t safety o	that the defendant should be detained, the Court also ollowing rebuttable presumption(s) contained in 18 U.S.C. the the Court finds the defendant has not rebutted: condition or combination of conditions will reasonably the appearance of the defendant as required and the fany other person and the community because the Court at the crime involves:
		(1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death: or

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	, ,	A controlled substance violation which has a maximum penalty of 10 years or more; or A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial
		release.
X (b)	assure the a	adition or combination of conditions will reasonably appearance of the defendant as required and the community because the Court finds that there is use to believe:
	•	That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more.
	(2)	That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

 The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

dangerous weapon or device).

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 3<sup>rd</sup> day of October, 2013.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge

and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or